

HOUSE BILL 281

By Baum

AN ACT to amend Tennessee Code Annotated, Title 16,
Chapter 18, Part 3 and Title 40, relative to
expunction.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 16-18-302(a), is amended by adding the following as a new subdivision:

(3)

(A) A municipal court has jurisdiction over the expunction of a person's conviction for a violation of a municipal ordinance from the public records, as defined in § 40-32-101(b)(1) and (2), of the municipal court upon that person's petition requesting removal of such records for a violation of a municipal ordinance that satisfactorily demonstrates to the court that the petitioner merits such relief, and:

(i) At the time of the filing of the petition for expunction, at least thirty (30) days have elapsed since the completion of the penalty imposed for the violation; and

(ii) The person has fulfilled all the requirements of the judgment imposed by the court in which the individual was convicted of the offense, including payment of all fines, court costs, and other assessments.

(B) A person applying for the expunction of records pursuant to this subdivision (a)(3) shall be charged the same clerk's fee imposed by § 8-21-401(b)(D)(x) for destroying such records.

(C) A municipal court's jurisdiction under this subdivision (a)(3):

(i) Is limited to the records of that municipal court; and

(ii) Does not include records of the department of safety relating to driver records or the driver improvement program established in § 55-50-505.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.